

REMARKS

Reconsideration and allowance of the above referenced application are respectfully requested.

Claims 19, 26, 28, 29 and 32 stand rejected under 35 USC 112, second paragraph, as being indefinite. In order to obviate any interpretation of what is toward a plurality, or away from a plurality, Claim 19 is amended to recite that the elements reflect. This is certainly within the elected species.

Claims 1-3, 31 and 33-35 stand rejected under 35 USC 102(b) as allegedly being anticipated by Leddy et al. Claims 5 and 30 stand rejected as being obvious over Leddy et al. in view of Lin et al. Each of these contentions are respectfully traversed.

Claim 1 was amended in the last response to obviate the interpretation that a DMD producing television output can read on this device. This amendment recited that the input optical beam is reflected through the array to form an output optical beam at a location, without other optical beams that result from reflecting the input optical beam surrounding the location, and such that the change of a single bit changes the location where the output beam is directed to at least one of multiple different spaced locations.

The beam is therefore produced at a different location depending on the states of the multiple bits. Moreover, there is a single beam that is produced, and it is produced at an

output location without other beams surrounding that output location.

Leddy et al. produces a television or video style image. The image is always in exactly the same location at all times. It makes no sense to consider that there could be different parts of the image to move around. If one moved the image around, it would not be the video image that is intended by Leddy et al. A video image would never produce an optical beam at a location "without other optical beams that result from reflecting the input optical beam surrounding said location", and "at spaced locations where the beam is directed being based on states of the multiple bits". A DMD based video producing system just produces an output image: that output image is always at the same place, it is not moved around to different locations, as done according to the present system. Therefore, Claim 1 should be allowable for these reasons. The claims which depend from Claim 1 should be allowable for analogous reasons.

Claim 35 should be allowable for similar reasons to those discussed above. Claim 35 defines that the position of the reflector elements are controlled using multiple digital bits which is not suggested in the DMD device of Leddy et al. Claim 35 defines that there are 2^n different possible locations for the bit, and again this is not disclosed by Leddy et al. Therefore, Claim 35 should be additionally allowable.

Claims 5 and 30 stand rejected as allegedly being obvious over Leddy et al. in view of Lin et al. Claim 5 defines that each of the mirrors has a different size. This contention and rejection are respectfully traversed.

While Lin et al. does teach different size mirrors, it does not teach different size moving mirrors. Moreover, it would not be obvious to change the size of the mirrors in Leddy et al. Leddy et al. is a digital device intended for producing pixels. It makes no sense to think that the pixels could have different sizes. Therefore, persons having ordinary skill in the art would not make the hypothetical combination of Leddy et al. in view of Lin et al. That combination is based on the teaching of the present specification and claims, and not on anything in the prior art. In fact, attempting to make this combination would make the Leddy et al. document unsuitable of carrying out its intended purpose, since it would no longer be a pixel based video device.

Claim 30 should be allowable for reasons discussed above as well as on its own merits.

No prior art rejections were set forth for Claims 19, 26, 28, 29 and 32. Since the rejection based on section 112 has been obviated by this amendment, these claims should presumably be allowable.

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific

rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant asks that all claims be allowed. No fee is believed to be due, however please apply any credits or additional charges to deposit account 06-1050.

Respectfully submitted,

Date: April 10, 2007

/Scott C Harris/ _____
Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer No. 20985
12390 El Camino Real
San Diego, California 92130
(858) 678-5070 telephone
(858) 678-5099 facsimile

10724724.doc